

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... AUG 15 1991
 Returned to applicant for correction..... SEP 27 1991
 Corrected application filed..... NOV 20 1991
 Map filed..... NOV 20 1991

The applicant..... U.S. Fish and Wildlife Service
911 N.E. 11th Avenue, of Portland,
Street and No. or P.O. Box No. City or Town
Oregon 97232-4181, hereby make.... application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
 copartnership or association, give names of members.)..... Applicant is an agency of the
U.S. Department of the Interior.

1. The source of the proposed appropriation is..... springs and seeps which provide water to an
Name of stream, lake, spring, underground or other source
existing channel and the waters within the channel.
2. The amount of water applied for is..... 3.5.....second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet. Water from several springs is in pools but not
stored.
3. The water to be used for..... non-consumptive instream flow for wildlife purposes.
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated.....
 - (b) Stockwater, state number and kinds of animals to be watered.....
 - (c) Other use (describe fully under "No. 12. Remarks")..... Please see item #12.
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point..... Water will be beneficially used
within the stream channel. Stream diverted from Describe as being within a 40-acre subdivision of public
property N 78° 40' W 542' from southeast corner of sec. 16, T.14S., R.65E.,
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Mt. Diablo Meridian, in the SE¼ SE¼ sec. 16, T.14S., R.65E., Mt. Diablo Meridian.
6. Place of use..... Stream in that portion of NE¼ NE¼ sec. 21, and that portion of
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
SE¼ SE¼ sec. 16, both in T.14S., R.65E., Mt. Diablo Meridian, located in
Moapa National Wildlife Refuge.
7. Use will begin about..... January 1.....and end about..... December 31....., of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.)..... Stream channel is in place.
State manner in which water is to be diverted, i.e. diversion structure, ditches and
 flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... N/A

10. Estimated time required to construct works..... All work is completed
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Water is currently being used for wildlife purposes.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Maintenance of stream flow and in situ appropriation to maintain habitats for the Moapa dace (Moapa coriacea) and other wildlife species.

By s/Robert Oser, Agent
 911 N.E. 11th Avenue
 Portland, Oregon 97232-4181

Compared bc/bc jr/cms

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 3.5 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for non-consumptive wildlife purposes for the described place of use which is upstream of the described point of diversion. The water which makes up this right consists of 15 springs and 1 weep which flow into the stream channel and all are measurable at the described point of diversion.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.5 cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before May 19, 1999

Proof of completion of work shall be filed on or before June 19, 1999

Application of water to beneficial use shall be made on or before May 19, 2000

Proof of the application of water to beneficial use shall be filed on or before June 19, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 03 1998 IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed JUN 03 1998 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 19th day of May

Cultural map filed.....

Certificate No. 15097 Issued JAN 05 1999 A.D. 1998

State Engineer

This permit is further issued with the understanding that it will not in any way affect the prior right under Permit 26317, which is diverted for consumptive purposes at the same point of diversion.